

## DECLARATION

SOLE/JOINT INVENTOR  
ORIGINAL/SUBSTITUTE/CIP

As a below named inventor, I hereby declare that: my residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: SYSTEM FOR TIME SHIFTING LIVE STREAMED VIDEO-AUDIO DISTRIBUTED VIA THE INTERNET

as described in the specification [ X ] attached or [ ] of patent Application Serial No. \_\_\_\_\_  
filed \_\_\_\_\_ and amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to this application; and that I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a). Such information is material when it is not cumulative to information already of record or being made of record in the application, and

- (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) it refutes, or is inconsistent with, a position the applicant has taken or may take in:
  - (i) opposing an argument of unpatentability relied on by the Office, or
  - (ii) asserting an argument of patentability.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificates listed below and have also identified below any foreign application(s) having a filing date before that of the application(s) on which priority is claimed:


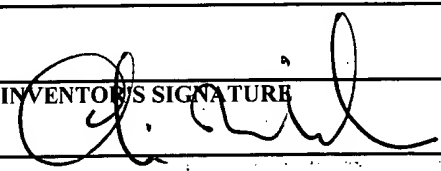
COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			[ ] YES [ ] NO


I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

60/178,964 (Application Number)	February 1, 2000 (Filing Date)
_____ (Application Number)	_____ (Filing Date)

I hereby claim the benefit under Title 35 United States Code § 120 of any United States application(s) listed below and, insofar as any subject matter of any claim of this application is not disclosed in the prior United States Application, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national PCT international filing date of this application:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>FULL NAME OF SOLE OR FIRST INVENTOR</b> Michael J. Swain	<b>INVENTOR'S SIGNATURE</b> 	<b>DATE</b> 1/30/01
<b>RESIDENCE</b> 11 Arden Road, Newton, Massachusetts 02460		<b>CITIZENSHIP</b> Canada
<b>POST OFFICE ADDRESS</b> same as above		
<b>FULL NAME OF SECOND JOINT INVENTOR</b> Christopher M. Weikart	<b>INVENTOR'S SIGNATURE</b> 	<b>DATE</b> Jan 26 2001
<b>RESIDENCE</b> 55 Randlett Park, West Newton, Massachusetts 02465		<b>CITIZENSHIP</b> USA
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<b>FULL NAME OF THIRD JOINT INVENTOR</b>		<b>INVENTOR'S SIGNATURE</b>	<b>DATE</b>
Jean-Manuel Van Thong			1/30/01
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<b>FULL NAME OF FOURTH JOINT INVENTOR</b>		<b>INVENTOR'S SIGNATURE</b>	<b>DATE</b>
<b>RESIDENCE</b>		<b>CITIZENSHIP</b>	
<b>POST OFFICE ADDRESS</b>			
<b>FULL NAME OF FIFTH JOINT INVENTOR</b>		<b>INVENTOR'S SIGNATURE</b>	<b>DATE</b>
<b>RESIDENCE</b>		<b>CITIZENSHIP</b>	
<b>POST OFFICE ADDRESS</b>			
<b>FULL NAME OF SIXTH JOINT INVENTOR</b>		<b>INVENTOR'S SIGNATURE</b>	<b>DATE</b>
<b>RESIDENCE</b>		<b>CITIZENSHIP</b>	
<b>POST OFFICE ADDRESS</b>			
<b>FULL NAME OF SEVENTH JOINT INVENTOR</b>		<b>INVENTOR'S SIGNATURE</b>	<b>DATE</b>
<b>RESIDENCE</b>		<b>CITIZENSHIP</b>	
<b>POST OFFICE ADDRESS</b>			
<b>FULL NAME OF EIGHTH JOINT INVENTOR</b>		<b>INVENTOR'S SIGNATURE</b>	<b>DATE</b>
<b>RESIDENCE</b>		<b>CITIZENSHIP</b>	
<b>POST OFFICE ADDRESS</b>			
<b>FULL NAME OF NINTH JOINT INVENTOR</b>		<b>INVENTOR'S SIGNATURE</b>	<b>DATE</b>
<b>RESIDENCE</b>		<b>CITIZENSHIP</b>	
<b>POST OFFICE ADDRESS</b>			
<b>FULL NAME OF TENTH JOINT INVENTOR</b>		<b>INVENTOR'S SIGNATURE</b>	<b>DATE</b>
<b>RESIDENCE</b>		<b>CITIZENSHIP</b>	
<b>POST OFFICE ADDRESS</b>			

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant/Patentee: Michael J. Swain,  
Christopher M. Weikart and Jean-  
Manuel Van Thong

Filed:

Serial No.:

For: System for Time Shifting Live Streamed  
Video-Audio Distributed via the Internet

Attorney File No.: 0918.2001-001  
Compaq Docket No.: PD99-2582

**POWER OF ATTORNEY BY ASSIGNEE**

Under the provisions of 37 C.F.R. § 3.71, the undersigned assignee of record of the entire interest in the above-identified patent/patent application by virtue of an assignment (check as applicable):

☒ Concurrently Herewith  
☐ Date Recorded \_\_\_\_\_  
☐ Reel \_\_\_\_\_ Frame \_\_\_\_\_  
☐ Attached Hereto

elects to conduct the prosecution of the application/maintenance of the patent to the exclusion of the inventor(s). The undersigned hereby declares that he/she has reviewed the above-referenced assignment and hereby declares that, to the best of his/her knowledge, title is in the Assignee, and further declares that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true. The assignee hereby revokes any previous powers of attorney and appoints the following to prosecute this application/maintain this patent and transact all business in the Patent and Trademark Office connected therewith:

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Please direct all communications to: Hamilton, Brook, Smith & Reynolds, P.C., Two Militia Drive, Lexington, MA 02421-4799, 781-861-6240 to the attention of: Mary Lou Wakimura, Esq.

**ASSIGNEE**

COMPAQ COMPUTER CORPORATION

Date:

29 Jan 01

BY:

NAME: Richard P. Lange

TITLE: Senior Counsel Intellectual Property

Authorized to Sign this Document on  
Behalf of Compaq Computer  
Corporation